



REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Attorney Docket No. P66925US1

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(b) of prior application number 09/890,277 filed August 10, 2001 for SPRAY CONTAINING UBIQUINONE QN by inventor(s):

Franz ENZMANN

Enclosed is a copy of the prior application including the Declaration as originally filed.

1. ☐ A Preliminary Amendment is enclosed.
2. ☐ Cancel claims *.
3. ☐ The filing fee is calculated as follows on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

Fee Calculation					
Excess Claims					
	Nº of Claims	Nº Allowed	Excess Claims	Small Entity Fee	Large Entity Fee
Total		⊖ 20 =	-20	⊗ \$9 = \$	⊗ \$18 = \$
Ind.		⊖ 3 =	-3	⊗ \$42 = \$	⊗ \$84 = \$
<input type="checkbox"/> Multiple Dependent Claims (1 st Filing)				⊕ \$140 =	⊕ \$280 = \$
Excess Claims Fee				\$	\$
Filing Fee				\$	\$
Other:				\$	\$
Total Fee Due				\$0	\$0

4. ☐ A check for \$ is enclosed.
☐ Charge \$* to Deposit Account No. 06-1358.
5. ☒ This application is filed without payment of the filing fee under 37 CFR 1.53(f).

6. ☒ Amend the specification by inserting at page 1, before the first line:
 This is a continuation of application no. 09/890,277 filed August 10, 2001
 ☐ which is a *of application no. */*, filed *
 ☒ which is a 371 of application no. PCT/EP00/0102, filed February 9, 2000,
 and published in German.
7. ☒ Small entity status:
 ☐ A small entity statement is enclosed.
 ☒ A small entity statement was filed in the prior non-provisional application
 and such status is still proper and desired.
 ☐ Is no longer claimed.
8. ☒ Priority under 35 USC 119 is claimed to application number 11905880.6 filed
 February 11, 1999, in Germany.
 ☒ Certified copy on file in prior application no. 09/890,277
 ☐ Certified copy filed herewith.
9. ☒ The prior application is assigned of record to MSE Pharmazeutika GmbH
10. ☒ The Power of Attorney in the prior application is to at least one of the following:
 William E. Player, 31,409; John Clarke Holman, 22,769; Harvey B.
 Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640;
 Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M.
 Aisenberg, 19,007.
 ☒ The power appears in the original papers of the prior application.
 ☐ Since the power does not appear in the original papers, a copy of the power
 in the prior application is enclosed.
11. ☒ Petition to extend the life of the above prior application to at least the date hereof
 (One box) ☒ is being concurrently filed in that prior application.
 NOTE:(must be) ☐ was previously filed in that application.
 (X'd) ☐ is not necessary.
- If a Petition for Extension of Time is necessary and the Petition and/or the check is not
 enclosed, the Commissioner is hereby petitioned to extend the time for response and
 authorized to charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account
 No. 06-1358.
12. ☐ Formal drawings are enclosed.
13. ☒ Enclosed is a copy of each Information Disclosure Statement (IDS) and Form PTO
 1449 of record in each prior application relied on for an earlier filing date under 35
 U.S.C. 120.

14. [X] Enclosed is a copy each Form PTO 892 of record in each prior application relied on for an earlier filing date under 35 U.S.C. 120.
15. [X] Also enclosed: Form PCT/1B/304

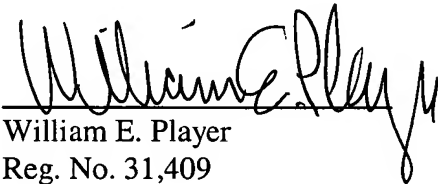
Address all future correspondence to:

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Respectfully submitted,

JACOBSON HOLMAN PLLC

By


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July 23, 2003
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